

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Criminal Action No.
)	06-00145-01-CR-W-HFS
RAYMOND A. DELACRUZ,)	
)	
Defendant.)	

ORDER

On July 24, 2006, counsel for Defendant filed a motion for a judicial determination of mental competency. Defendant was examined by Dr. Jason V. Dana and a competency hearing was held before United States Magistrate Judge Robert Larsen on November 11, 2006. The parties stipulated to Dr. Dana's report but, due to the report's inconclusiveness, Defendant was ordered to undergo a second psychological evaluation to be conducted locally by Dr. John Wisner. It is the opinion of **Dr. Wisner** that Defendant is not competent to stand trial. During a January 8, 2007, hearing in front of United States Magistrate Judge Robert Larsen, Defendant and the government both stipulated to the report of **Dr. Wisner**.

Therefore, after making an independent review of the record, it is

ORDERED that Defendant's motion for judicial determination of mental competency is granted, the Report and Recommendation of Magistrate Judge Robert Larsen is adopted in its entirety, and this court finds that Defendant is incompetent to stand trial and assist in his own defense. It is further

ORDERED that Defendant be committed to the custody of the Attorney General for hospitalization and treatment pursuant to 18 U.S.C. §4241(d). If feasible, Defendant shall be sent

to Springfield, Missouri, for treatment.

/s/Howard F. Sachs

HOWARD F. SACHS

United States District Judge

Kansas City, Missouri
January 19, 2007